RAILCAR, Ltd.

(404) 355-6734 Fax (404) 352-8814

Suite 303 1819 Peachtree Road, N E Atlanta, Georgia 30309-1847

estate in 17072 has less

NOV 5 1990 -4 65 PM

INTERSTATE CONSERCE COMMISSION



November 2, 1990 $0-310 \hat{A} 007$

Interstate Commerce Commission 12th and Constitution Ave., N.W. Washington, DC 20423

Attn: Ms. Mildred Lee

Room 2303

Re: Lease Agreement by and between Railcar, Ltd. and Southern Railway Company

Dear Ms. Lee:

Enclosed herewith are three (3) originally executed and notarized copies of a Summary Lease Agreement by and between Railcar, Ltd., a Georgia corporation as Lessor, and Southern Railway Company, a Virginia corporation as Lessee. The Lease is for two (2) 100 ton, 83' centerbeam bulkhead flatcars bearing the reporting marks and car numbers SOU 118330 and SOU 118331, inclusive.

The address of the parties are as follows:

Railcar, Ltd. - Les Soc 1819 Peachtree Road, N. E., Suite 303 Atlanta, Georgia 30309

Southern Railway Company — Lessee 8 North Jefferson St. Roanoke, Virginia 24042-0069

I would appreciate your recording the enclosed Summary Lease Agreement and returning three (3) copies to me. A check for the filing fee in the amount of \$15.00 is enclosed.

Thank you for your assistance.

Very truly yours,

James A. Day

Vice President - Finance

20

JAD/Twc

enclosures:

cc: Contract File

0257X

Interstate Commerce Commission

Washington, **D.C.** 20423

OFFICE OF THE SECRETARY

11/5/90

James A. Day-Vice President-Finance Railcar, Ltd. Ste 303 1819 Peachtree Road, N. E. Atlanta, Georgia 30309-1847

Dear Sirs:

The enclosed dcoument(s) was recorded pursuant to the provisions of Section 11303 of the Insterstate Commerce Act, 49 U.S.C. 11303, on 11/5/90 at 4:00PM , and assigned recordation number(s). 17072.

Sincerely yours,

Sidney L. Strickland, Jr.

Secretary

LEASE AGREEMENT

NOV 5 1990 -4 00 PM

INTERSTATE CONTEGER COMMISSION

- 1. This Lease Agreement is made and entered into as of October 1, 1990, by and between RAILCAR, LTD., and SOUTHERN RAILWAY COMPANY, a Virginia corporation.
- 2. Railcar, Ltd. agrees to lease to Southern Railway Company and Southern Railway Company agrees to and hereby lease from Railcar Ltd., the following:
 - Two (2) 100-ton 83' centerbeam bulkhead flatcars, having AAR Mechanical Designation FBC. and bearing the reporting marks SOU 118330 and 118331.
 - 3. The address of the parties are as follows:

Railcar, Ltd. (Lessor) 1819 Peachtree Road, N.E., Suite 303 Atlanta, Georgia 30309-1847

Southern Railway Company 8 North Jefferson Street Roanoke, Virginia 24042-0069

- 4. The term of this Lease Agreement is three (3) years commencing on the first day of the month following the month in which the last Car is delivered, but in no case later than January 1, 1991.
- 5. Lessee shall have the option to lease up to four (4) additional cars under the terms and conditions of this Agreement by giving written notice no later than November 15, 1990. If Lessee exercises this option the cars shall bear the reporting marks SOU 118332-118335.
- 6. The terms and provisions of this Lease Agreement, are more particularly set forth in a Lease Agreement of even date by and between Southern Railway Company and Railcar, Ltd.

IN WITNESS WHEREOF, the parties hereto have caused this Lease Agreement to be executed as of the day and year first above written.

Railcar, Ltd.

(LESSOR)

Wilds L. Pierce, President

•

[CORPORATE SEAL]

Southern Railway Company

(LESSEE)

ICODDODATE OF

00188

STATE OF GEORGIA **COUNTY OF FULTON**

On this $\cancel{\text{Mathew}}$, 1990, before me personally appeared Wilds L. Pierce, to me personally known, who being by me duly sworn says that he is President of the Railcar, Ltd., and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and they acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Notary Public, DeKalb County, Georgia My Commission Expires September 9, 1994

STATE OF Virginia)

COUNTY OF Norfock

City

on this 12th day of October, 1990, before me personally appeared to me personally known, who being by me duly sworn says that he is No. Material Namt. of Southern Railway Company, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and they acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

00188 --

Nebra B. Nawson

Notary Public

My commission expires:

July 15, 1991